

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JAN ALBERT CREUSERE	) CIVIL ACTION NO. C-1-01 0021
	)
Plaintiff	) JUDGE BECKWITH
	)
v.	) MAGISTRATE JUDGE BLACK
	)
OHIO AND VICINITY REGIONAL	) <b><u>DEFENDANT OHIO AND VICINITY</u></b>
COUNCIL OF CARPENTERS	) <b><u>REGIONAL COUNCIL OF</u></b>
	) <b><u>CARPENTERS' WITNESS LIST</u></b>
Defendant	) <b><u>AND TESTIMONY SUMMARIES</u></b>

NOW COMES Defendant Ohio and Vicinity Regional Council of Carpenters (or the “Council”), pursuant to the Court’s scheduling order, and offers the following list of witnesses and testimony summaries:

David Chaney, Executive Regional Director of the Southwest Region of the Ohio and Vicinity Regional Council of Carpenters, United Brotherhood of Carpenters and Joiners of America, 204 Garver Road, Monroe, Ohio 45050, telephone: 513/539-2759, will testify that the Council has never taken any negative action against Plaintiff because of his religious beliefs or in retaliation for any protected activity in which Plaintiff may have engaged, including refusing to negotiate “protective language” into collective bargaining agreements; and that the Council had no control over the scheduling of the flu shots or journeymen training classes referred to in the Complaint.

Art Galea, Coordinator, Joint Apprenticeship & Training Committee (“JATC”), 361 Breaden Drive, Monroe, Ohio 45050, telephone: 513/539-7849, will testify that the JATC had exclusive control over the scheduling of the journeymen training classes referred to in the Complaint and that the Council had no control over the scheduling of said classes.

Tim Myers, Administrator, Compensation Programs of Ohio, Inc., 1123 North Canfield Niles Road, Austintown, Ohio 44515, telephone: 800/435-2388, will testify that Compensation Programs of Ohio, Inc. is the third-party administrator of the various fringe benefits funds that cover members of the Council; that the Health & Welfare Fund and its medical providers had exclusive control over the scheduling of flu shots referred to in the Complaint; that the Council had no control over the scheduling of said flu shots; and the steps taken by the Health & Welfare Fund to accommodate Plaintiff.

Jan Creusere will testify that other non-Sabbatharian members on the referral list were allegedly skipped over and that age discrimination is not an issue in this case.

s/ Fred Seleman

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STEPHEN A. MARKUS (#0021906)  
ULMER & BERNE LLP  
1300 East Ninth Street, Suite 900  
Cleveland, Ohio 44114  
216/931-6000 – Telephone  
216/931-6001 – Facsimile  
smarkus@ulmer.com  
Trial Attorney for Defendant

Of Counsel:

FRED SELEMAN (#0067832)  
ULMER & BERNE LLP  
Penton Media Building  
1300 East Ninth Street, Suite 900  
Cleveland, Ohio 44114  
216/931-6000 – Telephone  
216/931-6001 – Telecopier  
fseleman@ulmer.com

DONALD J. MOONEY

Co-Counsel for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on May 14, 2004, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. In addition, a copy of the foregoing was sent by regular U.S. mail, postage prepaid, this 14<sup>th</sup> day of May 2004 to:

Jan Albert Creusere  
3943 Hazel Avenue  
Cincinnati, Ohio 45212-3827  
[jancoe@juno.com](mailto:jancoe@juno.com)

Plaintiff

s/ Fred Seleman  
One of the Attorneys for Defendant

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